IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Barberich *et al.* Atty Dkt No.: 0701.113C

Serial No.: Unknown, Continuation of USSN 09/240,262
Filed: January 29, 1999
Examiner: Rotman, A.
Art Unit: 1625

Title: *S*-LANSOPRAZOLE COMPOSITIONS AND METHODS

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

PRELIMINARY AMENDMENT UNDER 37 CFR 1.115

Dear Sir:

This paper is filed contemporaneously with a filing under 37 CFR 1.53(b). Prior to examination of this continuation application, please amend the priority application as follows:

A. In the specification:

1.) Page 1, please delete paragraph 1 (lines 12-7 and replace with:

-- CROSS REFERENCE TO RELATED APPLICATIONS

This application is a continuation of co-pending United States Patent Application Serial Number 09/240,262 filed January 29, 1999 and claims priority from United States Provisional Patent Applications 60/073,141 filed January 30, 1998, and 60/107,460 filed November 5, 1998, the disclosures of which are incorporated by reference. --

B. In the claims:

1.) Canceled claims

Please cancel claims 1-12, without prejudice.

2.) New claims

Please add new claims 13-29 as shown on the following three pages, and entitled "**CLEAN VERSION OF PENDING CLAIMS**"

CLEAN VERSION OF PENDING CLAIMS

13. A method of treating ulcers with lansoprazole which comprises administering to a human a therapeutically effective amount of optically pure *S*(-)isomer of lansoprazole, or a pharmaceutically acceptable salt thereof.

14. The method of claim 13, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof is greater than approximately 90% by weight of the total weight of lansoprazole.

15. The method of claim 13, wherein *S*(-) lansoprazole is administered orally in the form of a tablet or capsule.

16. The method of claim 15, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof administered is from about 5 mg to about 180 mg per day.

17. A method of treating gastroesophageal reflux disease which comprises administering to a human a therapeutically effective amount of optically pure *S*(-)isomer of lansoprazole, or a pharmaceutically acceptable salt thereof.

18. The method of claim 17, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof is greater than approximately 90% by weight of the total weight of lansoprazole.

19. The method of claim 17, wherein *S*(-) lansoprazole is administered orally in the form of a tablet or capsule.

20. The method of claim 19, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof administered is from about 5 mg to about 180 mg per day.

21. A method of treating a condition caused by or contributed to by gastric hypersecretion which comprises administering to a human a therapeutically effective amount of optically pure S(-)isomer of lansoprazole, or a pharmaceutically acceptable salt thereof.

22. The method of claim 21, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof is greater than approximately 90% by weight of the total weight of lansoprazole.

23. The method of claim 21, wherein *S*(-) lansoprazole is administered orally in the form of a tablet or capsule.

24. The method of claim 23, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof administered is from about 5 mg to about 180 mg per day.

25. The method according to claim 21, wherein said condition is Zollinger-Ellison Syndrome.

26. A method of treating psoriasis which comprises administering to a human a therapeutically effective amount of optically pure S(-)isomer of lansoprazole, or a pharmaceutically acceptable salt thereof.

27. The method of claim 26, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof is greater than approximately 90% by weight of the total weight of lansoprazole.

28. The method of claim 26, wherein *S*(-) lansoprazole is administered orally in the form of a tablet or capsule.

29. The method of claim 28, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof administered is from about 5 mg to about 180 mg per day.

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Annex to Preliminary Amendment filed May 11, 2001

[ ] indicates deleted text

bolding with underlining indicates added text

A. In the specification:

1.) Page 1, first paragraph:

CROSS REFERENCE TO RELATED APPLICATIONS

This application **is a continuation of co-pending United States Patent Application Serial Number 09/240,262 filed January 29, 1999 and** claims **[**the**]** priority **[**of US provisional applications**]** **from United States Provisional Patent Applications** 60/073,141, filed January 30, 1998, and 60/107,460, filed November 5, 1998, the disclosures of which are incorporated by reference. --

B. In the claims:

1.) Claims 1-12 are canceled without prejudice.

2.) Claims 13-29 are added.

Remarks

The priority application includes claims 1-12. By amendment herein, claims 1-12 have been canceled without prejudice, and claims 13-29 have been added.

The new claims present the subject matter of original claims 1-12 without multiple dependencies; no new matter has been added.

Respectfully submitted,

Date: May 11, 2001

Candice J. Clement
Attorney for Applicants
Registration Number 39,946
Heslin & Rothenberg, P.C.
5 Columbia Circle
Albany, New York 12203
Telephone: (518) 452-5600
Facsimile: (518) 452-5579